

§51.1010

40 CFR Ch. I (7-1-07 Edition)

the baseline year to the milestone inventory year divided by the number of years from the baseline year to the full implementation year.

(3) For direct PM_{2.5} emissions and each PM_{2.5} attainment plan precursor addressed in the attainment strategy, a benchmark emission reduction is calculated by multiplying the full implementation reduction by the milestone date fraction.

(4) The benchmark emission level in the milestone year is calculated for direct PM_{2.5} emissions and each PM_{2.5} attainment plan precursor by subtracting the benchmark emission reduction from the baseline year emission level. The benchmark RFP plan is defined as a plan that achieves benchmark emission levels for direct PM_{2.5} emissions and each PM_{2.5} attainment plan precursor addressed in the attainment strategy for the area.

(5) In comparing inventories between baseline and future years for direct PM_{2.5} emissions and each PM_{2.5} attainment plan precursor, the inventories must be derived from the same geographic area. The plan must include emissions estimates for all types of emitting sources and activities in the geographic area from which the emission inventories for direct PM_{2.5} emissions and each PM_{2.5} attainment plan precursor addressed in the plan are derived.

(6) For purposes of establishing motor vehicle emissions budgets for transportation conformity purposes (as required in 40 CFR part 93) for a PM_{2.5} nonattainment area, the State shall include in its RFP submittal an inventory of on-road mobile source emissions in the nonattainment area.

(g) The RFP plan due three years after designation must demonstrate that emissions for the milestone year are either:

(1) At levels that are roughly equivalent to the benchmark emission levels for direct PM_{2.5} emissions and each PM_{2.5} attainment plan precursor to be addressed in the plan; or

(2) At levels included in an alternative scenario that is projected to result in a generally equivalent improvement in air quality by the milestone year as would be achieved under the benchmark RFP plan.

(h) The equivalence of an alternative scenario to the corresponding benchmark plan must be determined by comparing the expected air quality changes of the two scenarios at the design value monitor location. This comparison must use the information developed for the attainment plan to assess the relationship between emissions reductions of the direct PM_{2.5} emissions and each PM_{2.5} attainment plan precursor addressed in the attainment strategy and the ambient air quality improvement for the associated ambient species.

§51.1010 Requirements for reasonably available control technology (RACT) and reasonably available control measures (RACM).

(a) For each PM_{2.5} nonattainment area, the State shall submit with the attainment demonstration a SIP revision demonstrating that it has adopted all reasonably available control measures (including RACT for stationary sources) necessary to demonstrate attainment as expeditiously as practicable and to meet any RFP requirements. The SIP revision shall contain the list of the potential measures considered by the State, and information and analysis sufficient to support the State's judgment that it has adopted all RACM, including RACT.

(b) In determining whether a particular emission reduction measure or set of measures must be adopted as RACM under section 172(c)(1) of the Act, the State must consider the cumulative impact of implementing the available measures. Potential measures that are reasonably available considering technical and economic feasibility must be adopted as RACM if, considered collectively, they would advance the attainment date by one year or more.

§51.1011 Requirements for mid-course review.

(a) Any State that submits to EPA an approvable attainment plan for a PM_{2.5} nonattainment area justifying an attainment date of nine or ten years from the date of designation also must submit to EPA a mid-course review six years from the date of designation.

(b) The mid-course review for an area must include:

(1) A review of emissions reductions and progress made in implementing control measures to reduce emissions of direct PM_{2.5} and PM_{2.5} attainment plan precursors contributing to PM_{2.5} concentrations in the area;

(2) An analysis of changes in ambient air quality data for the area;

(3) Revised air quality modeling analysis to demonstrate attainment;

(4) Any new or revised control measures adopted by the State, as necessary to ensure attainment by the attainment date in the approved SIP of the nonattainment area.

§ 51.1012 Requirement for contingency measures.

Consistent with section 172(c)(9) of the Act, the State must submit in each attainment plan specific contingency measures to be undertaken if the area fails to make reasonable further progress, or fails to attain the PM_{2.5} NAAQS by its attainment date. The contingency measures must take effect without significant further action by the State or EPA.

APPENDIXES A–K TO PART 51 [RESERVED]

APPENDIX L TO PART 51—EXAMPLE REGULATIONS FOR PREVENTION OF AIR POLLUTION EMERGENCY EPISODES

The example regulations presented herein reflect generally recognized ways of preventing air pollution from reaching levels that would cause imminent and substantial endangerment to the health of persons. States are required under subpart H to have emergency episodes plans but they are not required to adopt the regulations presented herein.

1.0 *Air pollution emergency.* This regulation is designed to prevent the excessive buildup of air pollutants during air pollution episodes, thereby preventing the occurrence of an emergency due to the effects of these pollutants on the health of persons.

1.1 *Episode criteria.* Conditions justifying the proclamation of an air pollution alert, air pollution warning, or air pollution emergency shall be deemed to exist whenever the Director determines that the accumulation of air pollutants in any place is attaining or has attained levels which could, if such levels are sustained or exceeded, lead to a substantial threat to the health of persons. In making this determination, the Director will be guided by the following criteria:

(a) *Air Pollution Forecast:* An internal watch by the Department of Air Pollution Control shall be actuated by a National Weather Service advisory that Atmospheric Stagnation Advisory is in effect or the equivalent local forecast of stagnant atmospheric condition.

(b) *Alert:* The Alert level is that concentration of pollutants at which first stage control actions is to begin. An Alert will be declared when any one of the following levels is reached at any monitoring site:

SO₂—800 µg/m³ (0.3 p.p.m.), 24-hour average.
PM₁₀—350 µg/m³, 24-hour average.
CO—17 mg/m³ (15 p.p.m.), 8-hour average.
Ozone (O₂)—400 µg/m³ (0.2 ppm)-hour average.
NO₂—1130 µg/m³ (0.6 p.p.m.), 1-hour average,
282 µg/m³ (0.15 p.p.m.), 24-hour average.

In addition to the levels listed for the above pollutants, meteorological conditions are such that pollutant concentrations can be expected to remain at the above levels for twelve (12) or more hours or increase, or in the case of ozone, the situation is likely to reoccur within the next 24-hours unless control actions are taken.

(c) *Warning:* The warning level indicates that air quality is continuing to degrade and that additional control actions are necessary. A warning will be declared when any one of the following levels is reached at any monitoring site:

SO₂—1,600 µg/m³ (0.6 p.p.m.), 24-hour average.
PM₁₀—420 µg/m³, 24-hour average.
CO—34 mg/m³ (30 p.p.m.), 8-hour average.
Ozone (O₃)—800 µg/m³ (0.4 p.p.m.), 1-hour average.

NO₂—2,260 µg/m³ (1.2 ppm)—1-hour average;
565 µg/m³ (0.3 ppm), 24-hour average.

In addition to the levels listed for the above pollutants, meteorological conditions are such that pollutant concentrations can be expected to remain at the above levels for twelve (12) or more hours or increase, or in the case of ozone, the situation is likely to reoccur within the next 24-hours unless control actions are taken.

(d) *Emergency:* The emergency level indicates that air quality is continuing to degrade toward a level of significant harm to the health of persons and that the most stringent control actions are necessary. An emergency will be declared when any one of the following levels is reached at any monitoring site:

SO₂—2,100 µg/m³ (0.8 p.p.m.), 24-hour average.
PM₁₀—500 µg/m³, 24-hour average.
CO—46 mg/m³ (40 p.p.m.), 8-hour average.
Ozone (O₃)—1,000 µg/m³ (0.5 p.p.m.), 1-hour average.
NO₂—3,000 µg/m³ (1.6 ppm), 1-hour average;
750 µg/m³ (0.4 ppm), 24-hour average.

In addition to the levels listed for the above pollutants, meteorological conditions are such that pollutant concentrations can